

What is a Sidewalk Business License?

The City of Longview recognizes the unique character of its downtown area. The “*Sidewalk Business License*” was initiated to give downtown business owners the ability to create a vibrant and exciting outdoor atmosphere downtown. This license (with some conditions) allows the business owner to have such things as café’s, retail items and signs on the sidewalk.

What do I need to operate under a Sidewalk Business License?

- Application for the Sidewalk Business License must be made with the City of Longview Community Development Department. The business must have a current City of Longview business license.
- The business must have business liability insurance at all times.
- The business must obtain an endorsement of its business liability insurance in the amount of \$1,000,000, naming the City of Longview as insured. This insurance and endorsement must be renewed upon expiration to continue the Sidewalk Business License.
- Once approved, the business must abide by the requirements set forth in the Sidewalk Business License, including posting of the Sidewalk Business License near the business’s City business license.

Why do I need separate insurance?

Private use of the public sidewalk requires that the City of Longview be insured against damages or accidents, which the business is liable for. An endorsement of your Business Liability Insurance, naming the City as insured, is therefore also required.

How do I apply for a Sidewalk Business License?

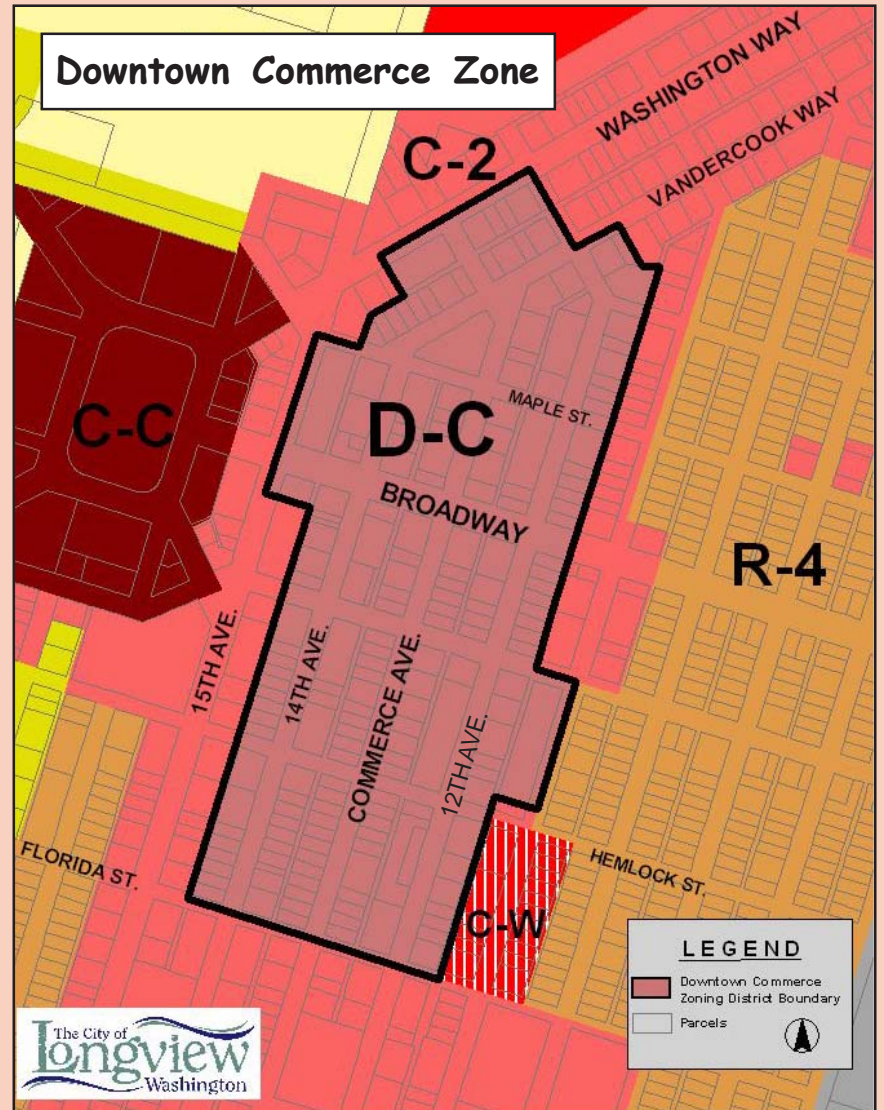
Fill out and sign an application, provide a copy of your certificate of insurance along with an endorsement of your business liability insurance naming the City as insured, and submit to the City’s Community Development Department.

What areas allow the use of a Sidewalk Business License?

Only areas within the City’s designated “Downtown Commerce Zone” area allow business use of the public sidewalk. The map to the right indicates the boundaries of that district.

How long will the Sidewalk Business License be in effect?

You may apply any time during each calendar year when you would like to use the sidewalk. The license is in effect concurrently with your Business Liability Insurance and Endorsement. You may need to renew your insurance and endorsement should it expire prior to your business license. Sidewalk Business Licenses expire with your insurance or December 31, whichever is first.



Please see the Longview Municipal Code regarding Sidewalk Business Licenses inside this pamphlet

How long does it take to get a Sidewalk Business License?

Your license can be issued the same day providing your City Business License, insurance and endorsement are current. Bring in your completed Sidewalk Business License application, Certificate of Insurance and separate endorsement naming the City of Longview as insured.

Where am I allowed to display items?

You may display items directly in front of your business. However, a business in a multi-tenant building is allowed a maximum 20-foot section of sidewalk. Please confer with your buildings owner or manager who must designate this area from a map provided by the Community Development Department.

Are there any other restrictions regarding placement of items upon the sidewalk?

- A five-foot wide pedestrian pathway must be free and clear at all times across the sidewalk and connect to properties on either side.
- A three-foot wide area must be free and clear at all times adjacent to the curb.
- No items are allowed in landscaped areas or at pedestrian zones as designated on the map, which will be provided.
- The Washington Liquor Control Board must approve the serving of alcoholic beverages outside.
- Maintain the sidewalk area in a neat, clean and safe manner.
- Other restrictions may apply as noted on the Sidewalk Business License.

Who do I call if I have questions?

Julie Hourcle, Assistant Planner
Community Development
1525 Broadway
Longview, WA 98632
360.442.5081

or

Tom Baylis, Downtown Coordinator
City Shop
254 Oregon Way
Longview, WA 98632
360.442.5600

Applying for a Sidewalk Business License



Rev. 11/02

What provisions does the Longview Municipal Code (LMC) cover regarding Sidewalk Business Licenses?

12.30.90

Use of sidewalk for the display and sale of goods and merchandise, and for outdoor café purposes – Sidewalk business licenses.

(1) The sidewalk area lying immediately between a commercial building and the curb, within the downtown core area of the city, which building contains a currently licensed operating retail business engaged in the sales of goods and merchandise, services, or the business of a restaurant, may, upon the grant of a sidewalk business license hereunder, be used for the purpose of display and sales of goods and merchandise, or services, of a like kind and quality that is displayed and offered for sale within the abutting commercial building or the sale and consumption of food and beverages similar to that which is sold and consumed on the abutting premises.

(2) Such licenses may be granted only to the holder of a current business license to conduct business in the abutting commercial building and as an extension of

said business beyond the front wall of such commercial building and onto the sidewalk area.

(3) In the event that there are more than one holder of current business licenses to conduct business within the abutting commercial building, separate sidewalk business licenses may be granted for the occupancy of the sidewalk for an area that is no more than 20 feet of the building frontage upon the sidewalk for each such business; in the event that more businesses seek such sidewalk business licenses than the sidewalk can accommodate, the owner/manager of the building containing such businesses shall designate in writing which of such businesses may be granted sidewalk business licenses, and such designation shall be final and binding on the city in granting such sidewalk business licenses. (Ord. 2773 § 2, 2000).

12.30.100

Tables, chairs, benches, display racks, decorative items, signs and advertising structures.

The area permitted to be used in connection with a sidewalk business license shall comply with the provisions of LMC 11.40.070 except when the abutting business of the licensee is open for business; during the time when the abutting business of the licensee is open for business and for one-half hour prior to the

opening and one-half hour after the closing thereof, the area of the sidewalk permitted to be used to conduct business under the terms of a sidewalk business license may contain tables, chairs, benches, umbrellas, awnings, display racks, decorative items such as plants, pictures, works of art, and freestanding signs. (Ord. 2773 § 2, 2000).

12.30.110

Business that may be conducted under sidewalk business license – Alcoholic beverages.

Within the area of any sidewalk permitted to be used under a sidewalk business license, it shall be lawful to advertise, display, and sell goods and merchandise, services, and to serve and for customers to consume

food and beverages. Except as permitted by the Washington State Liquor Control Board, no alcoholic beverages shall be served or consumed within such area. (Ord. 2773 § 2, 2000).

12.30.120

Sidewalk business license – Terms and conditions and insurance – Suspension/revocation of license.

(1) All licensees of sidewalk business licenses shall, prior to being granted such license, enter into an agreement with the city of Longview in which they agree to indemnify and hold the city free and harmless from all liability arising by reason of their use and/or occupancy of the sidewalk for such purposes, and at all times during the duration of such license, shall maintain public liability and property damage insurance in an aggregate amount of not less than \$1,000,000 per incident, naming the city of Longview as a co-insured.

(2) All licensees shall comply with all relevant regulations of the Cowlitz County health department, and shall keep and maintain the sidewalk area covered by such sidewalk business license in a clean, neat and safe manner at all times.

(3) A minimum area shall be reserved for pedestrian use not less than five feet in width, and shall be within the area between the curb and building, and shall be for the entire width of the building. Such pedestrian area shall be maintained free and clear of all obstructions at all times, and shall allow for a continuous walkway along the entire front of the building, connecting with pedestrian walkway areas on both ends thereof. The department of public works shall specify a distance on each sidewalk business license between the curb and the point where the licensee may exercise such license which area shall be maintained clear for vehicular loading and unloading and for the parking of vehicles along side or at an angle to the curb.

(4) Landscaped areas and areas containing trees and the dirt areas around such trees shall not be disturbed or used in connection with sidewalk business activities, and shall not be designated as the area reserved for pedestrian use.

(5) Pedestrian entrances to all buildings shall intersect with such pedestrian walkway areas, shall be not less

than five feet in width, and shall be maintained free and clear of all obstructions at all times.

(6) The department of community and economic development shall establish reasonable conditions as to each sidewalk business license relating to the size of tables, chairs, benches, umbrellas, awnings, display racks, works of art, freestanding signs, and any other items which are proposed for placement on the area of the sidewalk permitted to be used under a sidewalk business license. In the event that an applicant or licensee should disagree with such conditions, the assistant city manager shall intervene on the request of such applicant or licensee, and the decision of such assistant city manager shall be final and not subject to further appeal.

(7) Failure to comply with the provisions of LMC 12.30.090 through 12.30.150 shall constitute grounds for suspension of the sidewalk business license by the director of community and economic development if the licensee fails to heed a written warning issued by the director of community and economic development or his designee. Such suspension shall be for 48 successive hours. More than two suspensions within any 30-day period will result in revocation of the sidewalk business license. In the event of the cancellation or termination of required insurance coverage, and/or of the suspension or revocation thereof, such sidewalk business license shall be suspended until such insurance is reestablished. Upon written request of the holder of a sidewalk business license, a hearing before the assistant city manager shall be conducted with regard to any sidewalk business license revocation.

(8) All sidewalk business licenses shall be subject to the prior right of the city or of utility companies to effect repair and maintenance within the right-of-way. (Ord. 2773 § 2, 2000).

12.30.130

Offensive or inappropriate goods, merchandise or services, or noisy activities prohibited.

It shall be a misdemeanor for the holder of any sidewalk business license to display, advertise or sell any goods, wares or merchandise, or any services in violation of

Chapter 19.70 LMC, or to violate any of the provisions of LMC 9.22.050. (Ord. 2773 § 2, 2000).

12.30.140

Issuance of sidewalk business licenses – Engaging in business without a sidewalk business license is a misdemeanor.

Sidewalk business licenses shall be issued by the director of community and economic development. Such licenses shall only be issued to and possessed by holders of current business licenses. Any person who engages in sidewalk business without a license to do so as provided in this chapter, or during such time as such person's sidewalk business license is suspended, shall be guilty of a misdemeanor; each day that a person

engages in such sidewalk business without a license to do so, or while his or her sidewalk business license is suspended, shall constitute a separate offense. Each applicant for a sidewalk business license shall make application therefor on forms provided by the department of community and economic development. No license fee shall be charged for sidewalk business licenses. (Ord. 2773 § 2, 2000).